

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KVITNITSKY=1A

In re Application of:)	Confirmation No.: 5965
)	
Emma KVITNITSKY et al)	Art Unit: 1625
)	
Appln. No.: 10/553,757)	Examiner: N. S. CHANDRAKUMAR
)	
Filing Date: 04/21/2004)	September 22, 2008
371(c) Date: January 13, 2007)	
)	MONDAY
For: STABLIZED DERIVATIVES)	
OF ASCORBIC ACID)	

REPLY TO RESTRICTION AND ELECTION REQUIREMENTS

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building, 401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants are in receipt of the Office Action
mailed April 21, 2008, and reply below. Attached is a
petition for four (4) months' extension of time.

Restriction has been required among what the PTO has
held to be twelve (12) separate inventions, presumably each
patentably distinct from the others. As applicants must make
an election even though the requirement is traversed,
applicants hereby respectfully and provisionally elect Group
1, claims 1-14, with traverse and without prejudice.

First, the present application is the U.S. National Phase of PCT/IL04/00343, and no problem of unity of invention was identified by ISA/US. Lack of unity of invention has not been established by the PTO, and was not even alleged during the international stage, and there is common subject matter among the claims which conforms to the requirements of PCT Rules 13.1 and 13.2.

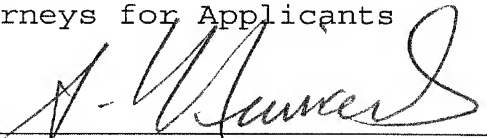
Moreover, as regards the restriction among Groups 1-4 the requirement violates *In re Weber et al*, 198 USPQ 328, 331 (CCPA 1978).

Applicants respectfully request that the requirement be at least partially withdrawn.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicants

By


Sheridan Neimark
Registration No. 20,520

SN:jnj

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\B\BENA\KVITNITSKY1A\PTO\2008-9-22RESTRICTRESP.doc